



OFFICE OF THE CITY CLERK CITY OF BINGHAMTON

Teri Rennia, City Council President

Jeremy Pelletier, City Clerk

BOARD OF ESTIMATE AND APPORTIONMENT

MEETING MINUTES

DPW Conference Room, 3rd Floor City Hall

Wednesday October 15, 2014

Call to Order. Called to order at 11:20am by Richard C. David, Mayor.

Board Members Present: Richard C. David, Mayor; Chuck Shager, Comptroller; Gary Holmes, Commissioner of Public Works; Kenneth J. Frank, Corporation Counsel

Board Members Absent: None

Also Present: Jeremy Pelletier, City Clerk; Jared Kraham, Executive Assistant to the Mayor

ITEMS CONSIDERED

Permanent Easement for Portion of 70-72 Court Street. Request to enter into an agreement for a permanent easement for a portion of 72 Court Street, submitted by 33 State Street Associates. Alan Pope, Andrew Urso and Larry Pasquale attended the meeting held January 15, 2014 to discuss the proposal. The Board reviewed this matter, and concluded that any agreement should be limited to the space required for a stairway, but should not include space for a patio. The Board of Contract and Supply approved a Request for Sealed Bids for 70-72 Court Street at a meeting held on February 12, 2014. Such Request for Sealed Bids includes a restriction stating that the sale would be subject to a permanent easement for pedestrian ingress and egress from a basement stairwell at 92 State Street, but that construction above the stairwell would be permitted. Kenneth J. Frank to discuss the details of the permanent easement with Mr. Pope. Item held.

19 Emma Street. Request to donate 19 Emma Street to the City of Binghamton. Submitted by Staiman Industries, Inc. on May 7, 2014. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on May 7, 2014. Scott Snyder responded on May 21, 2014, stating that he is not in favor of accepting the donation, noting that the City recently auctioned off surplus properties in the City's inventory. Tom Costello responded on May 23, 2014, agreeing with the Assessor's comments. Jennie Skeadas-Sherry responded on May 30, 2014, noting that it is an industrial site, formerly used by a recycling company. She stated that Planning is not in favor of accepting the donation at this time. Ms. Skeadas-Sherry requested a Phase I Environmental Assessment, with the intent to revisit the request to donate the property upon receipt of the results, as Economic Development has expressed interest in the site. E&A referred the matter to Economic Development on June 6, 2014. Ms. Skeadas-Sherry responded on July 2, 2014, stating that the property is within the Endicott-Johnson Industrial Spine BOA, which is a Broome County project. A review of New York State databases shows that there are no recorded spills on the property, but there is a history of keeping storage tanks on site. No environmental information is available. Mr. Murphy will provide an update on the property and will contact the company to determine if they will conduct an environmental study. Bob Murphy visited the property. Bob Murphy reported it to be in good condition, Waste Management was previous tenant and had a Phase II environmental study done in 1994 and the property passed. Bob Murphy will contact the Staiman Industries Inc. to see if they will agree to conduct an environmental study.

NEW BUSINESS

Approval of Minutes. Request to approve the minutes from the Board of Estimate and Apportionment meeting held on October 8, 2014.



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Moved by Frank, seconded by Shager.

Motion carried. (Vote 4-0)

Ayes: Shager, Frank, Holmes, David

Nays: None

Absent: None

Litigation. Review Christopher Bodnarczuk v. City of Binghamton. To be presented by Kenneth J. Frank, Corporation Counsel.

Motion to authorizing Corporation Counsel to settle litigation in amount of \$4,054.06

Moved by Shager, seconded by Holmes

Motion carried. (Vote 4-0)

Ayes: Shager, Frank, Holmes, David

Nays: None

Absent: None

Litigation. Review Sunco Leasing, LLC v. City of Binghamton. To be presented by Kenneth J. Frank, Corporation Counsel.

Motion to authorizing Corporation Counsel to settle litigation in amount of \$3,456.31

Moved by Shager, seconded by Frank

Motion carried. (Vote 4-0)

Ayes: Shager, Frank, Holmes, David

Nays: None

Absent: None

Budget Transfer. Request to transfer \$9,900 from A5182.54444 (Street Lighting Repair) to budget line A5182.54102 (General Operating Supplies). Submitted by Gary Holmes, Commissioner of Public Works.

Motion to approve budget transfer

Moved by Frank, seconded by Shager

Motion carried. (Vote 4-0)

Ayes: Shager, Frank, Holmes, David

Nays: None

Absent: None

Budget Transfer. Request to transfer \$2,500 from budget line CP5650.54620 (Equipment Repairs) to budget line CP5650.54440 (Elevator Serv. & Repair). Submitted by Carl Petro, Manager of LAZ.

Motion to approve budget transfer

Moved by Shager, seconded by Holmes

Motion carried. (Vote 4-0)

Ayes: Shager, Frank, Holmes, David

Nays: None

Absent: None

Budget Transfer. Request to transfer \$64,026 from budget line FX1990.55000 (Contingency) to budget line FX8330.54665 (JSTP IPP) and \$8,300 from budget line FX8310.51000 (Personal Services) to budget line FX8330.54665 (JSTP IPP). Submitted by Joe Yannuzzi, Water/Sewer Superintendent.

Motion to approve budget transfer



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Moved by Shager, seconded by Frank

Motion carried. (Vote 4-0)

Ayes: Shager, Frank, Holmes, David

Nays: None

Absent: None

Adjournment. Motion to adjourn at 11:30am.

Moved by Frank, seconded by Shager.

Voice vote, none opposed.